



Governor
Janice K. Brewer

**ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY**
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Board Members
Scott Steingard, D.O., Pres
Douglas Cunningham, D.O., V.P.
Jerry G. Landau, J.D.
Martin Reiss, D.O.
Frank "Lew" Riggs, Ed.D.
Vas Sabeeh, D.O.
Michael P. Ward, D.O.

Executive Director
Jenna Jones

**MINUTES OF THE PUBLIC BOARD MEETING OF
THE ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY**

Saturday, May 10, 2014

BOARD MEMBERS PRESENT:

Scott Steingard, D.O. President
Jerry G. Landau, J.D.
Martin Reiss, D.O.
Frank "Lew" Riggs, Ed.D.
Vas Sabeeh, D.O.
Michael Ward, D.O.

BOARD MEMBERS ABSENT:

Douglas Cunningham, D.O., Vice-President

STAFF / OTHERS PRESENT:

Jenna Jones, Executive Director
Barbara Meyers, Deputy Director
Barbara Prah, D.O., Medical Consultant
John O'Hair-Schattenberg, Investigator
Therese Hall, Business Manager
Kathy Fowkes, Admin. Asst. II, Licensing Division
Jeanne Galvin, Assistant Attorney General
Mary Davis, RPR, Ottmar & Associates

1. CALL TO ORDER

Board President Dr. Scott Steingard called the meeting to order at 8:03 a.m.

2. ROLL CALL AND REVIEW OF AGENDA

The Executive Director took the roll. Six board members were present, establishing quorum for the meeting. The Executive Director reviewed the agenda.

Dr. Steingard welcomed new public member Frank "Lew" Riggs to the Board.

3. CALL TO THE PUBLIC

- A. Dr. Steingard welcomed the Medical Students from Arizona College of Osteopathic Medicine at Midwestern University. Students from the other Arizona osteopathic schools were not present.
- B. The Board's custom is to ask members of the public to speak when the agenda item of interest to the person is called. Members of the public who wanted to address the Board on an issue not on the agenda were invited to speak prior to the adjournment.

4. REVIEW, CONSIDERATION AND APPROVAL OF MINUTES

March 29, 2014 Open Session

MOTION: Mr. Landau moved to approve the minutes. Dr. Ward seconded.

VOICE VOTE: The motion carried 5-0-1-1, with Mr. Riggs' recusal.

March 29, 2014 Executive Session

MOTION: Dr. Ward moved to approve the minutes. Mr. Landau seconded.

VOICE VOTE: The motion carried 5-0-1-1, with Mr. Riggs' recusal.

May 5, 2014 Open Session

MOTION: Dr. Sabeeh moved to approve the minutes. Mr. Landau seconded.

VOICE VOTE: The motion carried 4-0-2-1, with Mr. Riggs' and Dr. Ward's recusals.

5. REVIEW, CONSIDERATION AND ACTION ON REHEARING OR REVIEW OF DECISION

A. Brent Korn, DO

Case No. DO-11-0159A

License No. 4328

Dr. Korn was present with attorney David Williams. The Board asked Dr. Korn if there was anything further to add to the rehearing request and Mr. Williams stated there was not. Mr. Landau stated upon review of the transcript and the documents provided by Dr. Korn, he felt there were no grounds for granting a rehearing.

MOTION: Mr. Landau moved to deny the request rehearing. Dr. Ward seconded.

ROLL CALL VOTE: The motion carried 6-0.

	Vote	Dr. Steingard	Dr. Cunningham	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh	Dr. Ward
YES	6	X		X	X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	1		X					

B. John Manning, Jr., DO

Case No. DO-12-0028A

License No. 0935

Dr. Manning was present. The Board asked Dr. Manning if there was anything further to add to the review or rehearing request and Dr. Manning stated there was not. Dr. Reiss stated in the charts reviewed for this case, the records demonstrated the examinations and care Dr. Manning provided were inadequate. The Board found no grounds for granting a review or rehearing.

MOTION: Dr. Reiss moved to deny the request for a review or rehearing. Mr. Landau seconded.

ROLL CALL VOTE: The motion carried 6-0.

	Vote	Dr. Steingard	Dr. Cunningham	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh	Dr. Ward
YES	6	X		X	X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	1		X					

6. REVIEW, DISCUSSION, AND ACTION ON CASE REVIEWS OF ALLEGATIONS OF UNPROFESSIONAL CONDUCT A.R.S. § 32-1855 (C through F).

Case Reviews

A. Paul Blumberg, DO

Case No. 3972

License No. 1597

This case was reviewed after Case No. DO-08-4150A. Dr. Blumberg was not present. The Medical Consultant reviewed the case.

Dr. Steingard moved to enter Executive Session to obtain legal advice. Dr. Sabeeh seconded. The Board entered Executive Session at 3:50 p.m. and returned to Open Session at 3:56 p.m.

MOTION: Dr. Sabeeh moved for a finding of **Unprofessional Conduct** for violation of A.R.S. § 32-1854(6), (21), (28), and (38).

1. Physician failed to understand the hazards of improperly performing an implant exchange and mastopexy in a single procedure which dramatically increases the risk of complications. The standard of care would be to perform an augmentation/mastopexy in a two-stage procedure on a non-smoking patient.
2. Physician moved the breast implants from a subpectoral to a subglandular position which is contraindicated.
3. Physician failed to recognize and manage a postoperative hematoma of the breast in a timely manner.
4. Physician did not follow manufacturer's recommendations regarding the proper filling of the implants.
5. Physician did not follow manufacturer's recommendations regarding non-reinsertion of the implant.
6. Physician failed to obtain postoperative vital signs.
7. Physician failed to appropriately recognize and manage a postoperative infection.
8. Physician misled patient by informing her the implants were placed in a submuscular position when they were actually in a subglandular position, and incorrectly documenting this.
9. Physician failed to release full medical records to patient after multiple requests.
10. Physician lacks adequate training and board certification to perform the procedures on this patient and has no hospital privileges to perform these procedures or manage the complications of them.

Dr. Reiss seconded.

ROLL CALL VOTE: The motion carried 5-0.

	Vote	Dr. Steingard	Dr. Cunningham	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh	Dr. Ward
YES	5	X			X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	2		X	X				

MOTION: Based upon the findings of fact, Dr. Sabeeh moved to refer this case to **Administrative Hearing for the purpose of Revocation of License**. The Board requested that the Administrative Law Judge consider Dr. Blumberg's prior disciplinary history in matters of aggravation. Mr. Riggs seconded.

ROLL CALL VOTE: The motion carried 5-0.

	Vote	Dr. Steingard	Dr. Cunningham	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh	Dr. Ward
YES	5	X			X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	1		X	X				

B. Paul Blumberg, DO

Case No. DO-08-4150A

License No. 1597

Dr. Blumberg was not present. The Board was informed Dr. Blumberg has retired and moved. The merits of the case were discussed.

MOTION: Dr. Steingard moved for **Dismissal**. Dr. Ward seconded.

ROLL CALL VOTE: The motion carried 3-2.

	Vote	Dr. Steingard	Dr. Cunningham	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh	Dr. Ward
YES	3	X				X		X
NO	2				X		X	
ABSTAIN/RECUSE	0							
ABSENT	2		X	X				

Reviews of Executive Director Dismissals:

A. None

7. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION RELATING TO THE REHEARING IN CASE NO. DO-11-0165A REGARDING SHAWN PLATT, D.O., LIMITED IN SCOPE IN ACCORDANCE WITH THE BOARD'S MOTION OF FEBRUARY 22, 2014 (11:00 AM). BOARD MAY REVIEW, DISCUSS AND TAKE ACTION ON CONSENT AGREEMENT.

A. Shawn Platt, DO

Case No. DO-11-0165A

License No. 3313

The Board entered into Executive Session at 11:25 am and returned to Open Session at 11:31 am.

Dr. Platt and attorney Dan Cavett were present. The Board reviewed the Consent Agreement. Dr. Platt stated he has read and understands the Consent Agreement and would accept it.

MOTION: Mr. Landau moved to accept the **Consent Agreement for Decree of Censure with Probation**, including restriction of practicing pain management. Dr. Reiss seconded.

ROLL CALL VOTE: The motion carried 6-0.

	Vote	Dr. Steingard	Dr. Cunningham	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh	Dr. Ward
YES	6	X		X	X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	1		X					

8. REVIEW, DISCUSSION AND ACTION ON INVESTIGATIVE HEARINGS PURSUANT TO A.R.S. § 32-1855 (E) ONLY.

A. Brian Gallman, DO

Case No. DO-12-0114A

License No. 4061

Dr. Gallman was present and was sworn in by the court reporter. The Medical Consultant reviewed the case. Dr. Gallman answered the Board's questions. Some members of the Board expressed concern regarding his evaluation of this patient. The Board expressed concern regarding documentation in the medical record for this patient.

MOTION: Dr. Ward moved for a non-disciplinary **Letter of Concern** for failure to adequately evaluate and document a history and physical. Mr. Riggs seconded.

ROLL CALL VOTE: The motion failed 3-3.

	Vote	Dr. Steingard	Dr. Cunningham	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh	Dr. Ward
YES	3					X	X	X
NO	3	X		X	X			
ABSTAIN/RECUSE	0							
ABSENT	1		X					

MOTION: Mr. Landau moved for a non-disciplinary **Letter of Concern** for failure to adequately document a history and physical. Dr. Reiss seconded.

ROLL CALL VOTE: The motion carried 5-1.

	Vote	Dr. Steingard	Dr. Cunningham	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh	Dr. Ward
YES	5	X		X	X	X	X	
NO	1							X
ABSTAIN/RECUSE	0							
ABSENT	1		X					

MOTION: Dr. Sabeeh moved for 20 hours of non-disciplinary **Continuing Medical Education** in the areas of medical documentation and record keeping, evaluation of COPD and asthma, in addition to the annual statutory requirements, at the respondent's expense and pre-approved by the Executive Director. Mr. Landau seconded.

ROLL CALL VOTE: The motion carried 5-1.

	Vote	Dr. Steingard	Dr. Cunningham	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh	Dr. Ward
YES	5	X		X	X	X	X	
NO	1							X
ABSTAIN/RECUSE	0							
ABSENT	1		X					

B. Suzanne Bentz, DO

Case No. DO-12-0152A

License No. 2866

Dr. Bentz was present with attorney Andrew Plattner and was sworn in by the court reporter. The Medical Consultant reviewed the case. Dr. Bentz answered the Board's questions. The complainant was also present, was sworn in and answered the Board's questions.

MOTION: Dr. Steingard moved for **Dismissal**. Dr. Sabeeh seconded.

ROLL CALL VOTE: The motion carried 6-0.

	Vote	Dr. Steingard	Dr. Cunningham	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh	Dr. Ward
YES	6	X		X	X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	0		X					

C. Brent Korn, DO

Case No. DO-13-0225A

License No. 4328

Dr. Korn was present with attorney David Williams and was sworn in by the court reporter. The Medical Consultant reviewed the case. Dr. Korn answered the Board's questions. The Board found that Dr. Korn failed to protect the child. By his own admission, Dr. Korn recognized that the child needed traditional treatment. The outcome of this decision was tragic. The Board stated as soon as the father refused to obtain standard oncological care, Dr. Korn was obligated

as an osteopathic physician to have immediately contacted Child Protective Services. The Board also expressed concern that by his own admission, Dr. Korn's training in the diagnosis and treatment of cancer was limited and that he was practicing or had practiced outside the scope of his specialty.

Mr. Landau moved to enter Executive Session to obtain legal advice. Dr. Steingard seconded. The Board entered Executive Session at 10:49 a.m. and returned to Open Session at 10:57 a.m.

MOTION: Mr. Landau moved for a finding of **Unprofessional Conduct** for violation of A.R.S. §32-1854 (6), (35), (38), and (44), based upon the following concerns and facts:

1. Dr. Korn, an osteopathic physician, knowingly treated patient S.M. with nonstandard care even though he was aware and stated the patient's osteosarcoma was treatable and should be treated with standard chemotherapeutic agents which could be in addition to a multi-disciplinary approach;
2. Dr. Korn was aware that the patient's father left Illinois with the patient for Arizona to seek alternative care and further that Dr. Korn was in contact with the Illinois Department of Child and Family Services;
3. Dr. Korn failed to notify Arizona Department of Economic Security, Division of Child Protective Services or the appropriate law enforcement agency as required pursuant to A.R.S. § 13-3620, in that he should have reasonably believed that patient S.M. had been the victim of neglect as defined in A.R.S. § 8-201.
4. The predicted survival of this case was greatly reduced and resulted in the patient's limb amputation and bilateral thoracotomies which likely could have been avoided.
5. Dr. Korn's actions resulted in delay of the standard chemotherapeutic agents (with a multi-disciplinary approach), the standard treatment for a pediatric osteosarcoma, which in part resulted in multiple complications including the metastatic progression necessitating an amputation and the bilateral thoracotomies noted above.
6. At all times Dr. Korn was treating patient S.M. Dr. Korn held an osteopathic license from the state of Arizona.

Dr. Sabeeh seconded.

ROLL CALL VOTE: The motion carried 6-0.

	Vote	Dr. Steingard	Dr. Cunningham	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh	Dr. Ward
YES	6	X		X	X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	1		X					

MOTION: Mr. Landau moved that the Board immediately initiate formal **Revocation** proceedings of Dr. Korn's license pursuant to A.R.S. Title 41, Chapter 6, Article 10. Dr. Sabeeh seconded.

ROLL CALL VOTE: The motion carried 6-0.

	Vote	Dr. Steingard	Dr. Cunningham	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh	Dr. Ward
YES	6	X		X	X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	1		X					

Dr. Ward recused himself from this case.

Dr. Barnes was present and was sworn in by the court reporter. The Investigator reviewed the case. Dr. Barnes answered the Board's questions.

Dr. Reiss moved to enter Executive Session to review records and testimony regarding records which are confidential by statute. Dr. Steingard seconded. The Board entered Executive Session at 11:48 a.m. and returned to Open Session at 11:54 a.m.

MOTION: Dr. Reiss moved for **Dismissal**. Dr. Sabeeh seconded.

ROLL CALL VOTE: The motion carried 3-2-1.

	Vote	Dr. Steingard	Dr. Cunningham	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh	Dr. Ward
YES	3				X	X	X	
NO	2	X		X				
ABSTAIN/RECUSE	1							X
ABSENT	1		X					

E. Brian Page, DO

Case No. DO-13-0141A

License No. 3416

Dr. Page was present with attorney Teresita Mercado and was sworn in by the court reporter. The Medical Consultant reviewed the case. Dr. Page answered the Board's questions. After discussion and consideration, it was determined there was no statutory violation.

MOTION: Dr. Ward moved for **Dismissal**. Dr. Reiss seconded.

ROLL CALL VOTE: The motion carried 5-1.

	Vote	Dr. Steingard	Dr. Cunningham	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh	Dr. Ward
YES	5			X	X	X	X	X
NO	1	X						
ABSTAIN/RECUSE	0							
ABSENT	1		X					

F. Brian Page, DO

Case No. DO-13-0096A

License No. 3416

Dr. Page was present with attorney Teresita Mercado and remained under oath. The Medical Consultant reviewed the case. Dr. Page answered the Board's questions.

MOTION: Dr. Steingard moved for a non-disciplinary **Letter of Concern** for failure to properly document physical exams of a patient. Dr. Reiss seconded.

ROLL CALL VOTE: The motion carried 6-0.

	Vote	Dr. Steingard	Dr. Cunningham	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh	Dr. Ward
YES	6	X		X	X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	1		X					

MOTION: Dr. Steingard moved for 10 hours non-disciplinary **Continuing Medical Education** in the area of medical documentation in addition to the annual statutory requirements, pre-approved by the Executive Director and at the respondent's expense. Mr. Landau seconded.

ROLL CALL VOTE: The motion carried 6-0.

	Vote	Dr. Steingard	Dr. Cunningham	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh	Dr. Ward
YES	6	X		X	X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	1		X					

Cases called after 1:00 p.m.

G. Ali Rajaei-Tehrani, DO

Case No. DO-13-0180A

License No. 4383

Dr. Rajaei-Tehrani was present with attorney Stephen Myers and was sworn in by the court reporter. The Medical Consultant reviewed the case. Dr. Rajaei-Tehrani answered the Board's questions. After discussion and consideration, it was determined there was no statutory violation.

MOTION: Dr. Sabeeh moved for **Dismissal**. Mr. Riggs seconded.

ROLL CALL VOTE: The motion carried 6-0.

	Vote	Dr. Steingard	Dr. Cunningham	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh	Dr. Ward
YES	6	X		X	X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	1		X					

H. Lawrence Ryan, DO (continued)

Case No. DO-13-0060A

License No. 2014

I. Salvatore La Cognata, DO

Case No. DO-13-0071A

License No. 3700

Dr. La Cognata was present and was sworn in by the court reporter. The Medical Consultant reviewed the case. Dr. La Cognata answered the Board's questions. After discussion and consideration, it was determined there was no statutory violation.

MOTION: Dr. Steingard moved for **Dismissal**. Dr. Ward seconded.

ROLL CALL VOTE: The motion carried 6-0.

	Vote	Dr. Steingard	Dr. Cunningham	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh	Dr. Ward
YES	6	X		X	X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	1		X					

J. Tracy West, DO

Case No. DO-14-0020A

License No. 4236

Dr. Reiss moved to enter Executive Session to review records and receive testimony regarding records which are confidential by statute. Dr. Steingard seconded. The Board entered Executive Session at 1:57 p.m. and returned to Open Session at 2:35 p.m.

MOTION: Dr. Steingard moved to accept Consent Agreement discussed in Executive Session. Dr. Reiss seconded.

ROLL CALL VOTE: The motion carried 6-0.

	Vote	Dr. Steingard	Dr. Cunningham	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh	Dr. Ward
YES	6	X		X	X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	1		X					

K. Paul Blumberg, DO

Case No. 3972

License No. 1597

This case was adjudicated at the Case Review level.

L. Paul Blumberg, DO

Case No. DO-08-4150A

License No. 1597

This case was adjudicated at the Case Review level.

9. CONSIDERATION AND ACTION ON COMPLIANCE WITH TERMS OF BOARD ORDERS AND REQUESTS TO MODIFY OR TERMINATE ORDERS, PURSUANT TO A.R.S. §32-1855 (E) AND (I).

A. Ramon Morales, DO

Case No. DO-11-0038A and
DO-11-0174A

License No. 4391

Dr. Morales was present. The Executive Director reviewed the current status of Dr. Morales' order and request. Dr. Morales answered the Board's questions. The Board took no action.

B. Donald Fruchtman, DO

Case No. DO-12-0162A

License No. 2874

Dr. Fruchtman was present with attorney Stephen Myers. The Executive Director reviewed the standing Board Order and Respondent's request to have the Order terminated. She confirmed the order was for a 5-year probation and Dr. Fruchtman had completed the required Continuing Medical Education. Dr. Fruchtman answered the Board's questions.

MOTION: Mr. Landau moved to amend the order dated November 27, 2013 to remove term number one (1). Dr. Fruchtman may return in November 2014 for review of his status or further consideration of the probationary term. Dr. Ward seconded.

ROLL CALL VOTE: The motion carried 6-0.

	Vote	Dr. Steingard	Dr. Cunningham	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh	Dr. Ward
YES	6	X		X	X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	1		X					

10. **CONSIDERATION AND POSSIBLE ACTION ON CONSENT AGREEMENT FOR VOLUNTARY SURRENDER OF LICENSE PURSUANT TO A.R.S. § 32-1855 (M) ONLY**

A. Richard Settles, DO

Case No. DO-12-0171A

License No. 2686

MOTION: Dr. Steingard moved to accept the **Consent Agreement for Voluntary Surrender of License**. Dr. Sabeeh seconded.

ROLL CALL VOTE: The motion carried 5-0.

	Vote	Dr. Steingard	Dr. Cunningham	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh	Dr. Ward
YES	5	X			X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	1		X	x				

11. **REVIEW, CONSIDERATION, AND ACTION ON APPLICATIONS FOR LICENSURE PURSUANT TO A.R.S. § 32-1822; PERMITS PURSUANT TO A.R.S. § 32-1829; AND RENEWALS OF LICENSES PURSUANT TO A.R.S. § 32-1825 (C-D) AND A.A.C. R4-22-207.**

A. Lynne Pirie, DO

Case No. DO-14-0049A

Application No. 006370

Dr. Pirie was present with attorney Paul Giancola and was sworn in by the court reporter. The Executive Director reviewed the license application.

Dr. Steingard moved to enter Executive Session to obtain legal advice. Dr. Ward seconded. The Board entered Executive Session at 3:07 p.m. and returned to Open Session at 3:18 p.m.

The Board continued this case to the July meeting in order to review documents submitted by Dr. Pirie's attorney two days prior to the Board meeting.

B. Chris Johnson, DO

Case No. DO-13-0104A

Application No. 006170

Dr. Johnson was present. The Executive Director reviewed the status of Dr. Johnson's license application. Dr. Johnson passed the SPEX exam and completed the other item(s) requested by the Board.

MOTION: Dr. Ward moved to approve Dr. Johnson's license application. Dr. Sabeeh seconded.

ROLL CALL VOTE: The motion carried 6-0.

	Vote	Dr. Steingard	Dr. Cunningham	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh	Dr. Ward
YES	6	X		X	X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	1		X					

12. REPORTS FROM EXECUTIVE DIRECTOR, BOARD MEMBERS, and ASST ATTORNEY GENERAL

- A. Report on ED Dismissed Complaints
A written report in compliance with the statutory requirements was provided to the Board.
- B. President & Board Member reports
No reports made.
- C. Executive Director Report
The budget reports for the past month and a complaint update were provided to the Board members. No action taken.
- D. Board may review, discuss and take to ratify action on request to move to retired status that was approved by Executive Director for Richard Carnicky, DO, and Dana K. Johnson, DO.

MOTION: Dr. Sabeeh moved to ratify approval of retirement status for Dr. Carnicky's license. Dr. Reiss seconded. Dr. Steingard was recused.

VOICE VOTE: The motion carried 4-1, with Mr. Landau absent and Dr. Steingard recused.

MOTION: Dr. Sabeeh moved to ratify approval of retirement status for Dr. Johnson's license. Dr. Reiss seconded.
VOICE VOTE: The motion carried 5-0, Mr. Landau absent.

- E. Board may review, discuss and take action on modification of three-reviewer process.

The Executive Director summarized the status of this issue and reviewed her memo to the Board. She recommended setting up two committees to review cases. With regard to cases in which the committee had consensus the physician did not fall below the standard of care and no violation of statute took place, the staff would create a consent agenda to be ratified by the committee at the start of a regularly scheduled Board meeting or during teleconference committee meeting. Mr. Landau stated his opinion that the current three-reviewer process was legal, however, Ms. Jones' plan was a better system than our current one. The Board discussed the history of previous methods to shorten the time it takes for the Board to dismiss cases in which no violation of statute took place and the merits of Ms. Jones' recommendation.

MOTION: Mr. Landau moved to adopt option two, which includes a short committee meeting prior to the regular board meeting, for a six-month trial period. Dr. Reiss seconded.
VOICE VOTE: The motion carried unanimously.

- F. Board may review, discuss and take action on security issues for meetings.
No action taken.

13. ADJOURNMENT

The Board adjourned at 4:40 p.m.